IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

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WRIT PETITION NO : 15104 of 2005

Between:

N.Yadagiri S/o.Venkataiah, (E-651356), APSRTC, Warangal Region,
at Hanumakonda.

..... PETITIONER

AND

1. The Regional Manager, APSRTC, Warangal Region at Hanumakonda.
2. The Executive Director (Hyderabad and KR) Zones, APSRTC,
   Mahatmagandhi Bus Station Imlibun, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring that the action of the respondents in deleting the petitioners name from approved/selected candidates list of drivers is bad, arbitrary, illegal, unjust and violation of principles of natural justice and consequently direct the respondents to reengage the petitioner immediately by restoring his name in the panel in the approved list of drivers in APSRTC, Warangal Region.

Counsel for the Petitioner: MR.P.VENKATESWAR RAO

Counsel for the Respondents: MR.SMT.P.RAJANI REDDY (SC FOR APSRTC)

The Court at the admission stage made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the respondents in deleting his name from the list of approved/selected drivers.

According to the petitioner, he submitted his application for the post of driver and after regular process of selection, he was selected and his name was included in the list of selected candidates and in fact he was given training to the post of driver. The respondents have also kept all his original documents with them. However, he was not given regular appointment. As there was strike during 15.10.2001 to 20.10.2001, it is stated that a paper notification was issued directing the selected drivers to report for duties. But, on the premise that the petitioner did not respond to the said paper notification, his name was deleted from the list of selected/approved drivers. Hence, the present writ petition.

The grievance of the petitioner is that he was not served with any notice directing him to attend for duties during the strike period and therefore he is not aware of the alleged paper notification issued by the respondents. Therefore, he sought for an appropriate direction.

At the time of hearing, it is represented by the learned counsel for the petitioner that under similar circumstances, this Court held that deletion of names from the approved list is bad without conducting any enquiry and therefore sought for similar order.

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.

As the petitioner was selected and empanelled for being engaged as a driver, his name cannot be deleted from the list unless there is any justifiable reason and especially after conducting due enquiry. But, the respondents deleted the name of the petitioner on the ground that the petitioner did not respond to the paper notification, for which, the petitioner claims that he is not aware.

Under the above circumstances, the writ petition is disposed of directing the respondents to restore the name of the petitioner in the selected list of drivers and provide the work as was being given for all the empanelled drivers. No costs.

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13.07.2005

VGB

To

1. The Regional Manager, APSRTC, Warangal Region at Hanumakonda.
2. The Executive Director (Hyderabad and KR) Zones, APSRTC, Mahatmagandhi Bus Station Imlibun, Hyderabad.

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